

Terms and Definitions for the Landowner Incentive Program

***Private Land:**

Any land not owned by federal, state, or municipal agencies (i.e. any land that is publicly held). Land for which title and control rests with a government, Federal, state, regional, county or municipal, is not eligible.

***Species at Risk:**

Any federally or state listed, proposed, or candidate animal or plant species or other species of concern as determined and documented by the Land Owner Incentive Program. For list of “species at risk” please see LIP website.

***LIP Project Area:**

A defined area in which the practices identified in the management plan (and contract) takes place on the land owner’s property. The MDFW LIP program does not require that the project area encompasses the landowner’s entire property. The project area may be a portion of the property as defined in grant agreement and outlined by the map.

***Project:**

A discrete task undertaken by or with private landowners for the accomplishment of the LIP objectives defined for species-at-risk. Projects are outlined in the grant agreement. There may be more than one project within a LIP Project Area.

***Landscape scale Project:**

A project with boundaries that cross more than one parcel of land, to create a larger intact mosaic of similar habitats, increasing the suitability for species at risk. The parcels may be of multiple or single ownership. The landscape approach creates a partnership to conserve wildlife habitat on a large scale.

***LIP Management Plan:**

The management plan is one of the required forms needed to apply for LIP funding. The management plan outlines what the applicant plans to do and how they plan to do it within the project area. The management plan objectives must be to conserve species at risk through active wildlife habitat management. Please see the example on the webpage. The management plan will be included within the agreed upon contract.

***Management Practices:** see Practice Component List on the LIP Webpage.

A Management Practice is the process of actively managing lands and their resources to best meet wildlife needs over time, according to the land's capabilities. These practices must be for the benefit of Species-at-risk and be concerned with restoring or creating habitat to support these species.

***Landuse:**

The classification of land according to how it is used; for example, wildlife habitat, agricultural, industrial, residential, urban, or commercial. Under the LIP program the only acceptable Landuse is wildlife habitat and the allowable activities compatible with grant agreement objectives.

***Early Successional Habitats**

Succession is the natural replacement, in time, of one plant community with another. Conditions of the prior plant community (or successional stage) create conditions that are favorable for the establishment of the next stage. Early Successional habitats are the first stages of replacement of a natural community that develops immediately following the removal of vegetation in an area that has been recently disturbed naturally or through active management. For instance, grasses may be the first plants to grow in an area that was burned. In MA, early successional habitat is a transitional habitat that if left alone, will give way to mature forest which is the late successional or climax stage of forest re-growth.

***BioMap2:** Building off the success of BioMap and Living Waters, BioMap2 combines these two resources and captures all the elements of biodiversity by approaching conservation of Massachusetts' biological resources at multiple scales. These elements of biodiversity fall into one of two complementary categories, Core Habitat and Critical Natural Landscape. Core Habitat identifies key areas to ensure the long-term persistence of species of conservation concern, exemplary natural communities, and intact ecosystems across the Commonwealth. Critical Natural Landscape identifies larger landscape areas that are better able to support ecological processes, disturbances, and wide-ranging species.

***Monitoring and Evaluation**

The systematic evaluation of the results of the active management activities of wildlife habitat to determine how well objectives were met and how management practices may be adjusted to benefit Species-at-risk. Monitoring is a type of natural resource management that implies making decisions as part of an on-going process. Monitoring the results of actions will provide information that may indicate the need to change a course of action. Scientific findings may also indicate the need to adapt resource management based on new information

***Active Management**

Activities, based on the knowledge of wildlife habitat requirements (food, shelter, space and cover), designed primarily to improve the quality of habitat for wildlife and, thus, sustain or increase those populations. Examples of such activities are outlined in the Practice Components List on the LIP webpage.

***Feasible**

Feasible means that a project is capable of being done practicably, in a successful manner within the allotted time frame, taking into account economic, environmental, and technological factors, without jeopardizing the objectives of the project.

***Allowable Costs:**

Allowable costs are limited to those costs that are necessary and reasonable to accomplish approved project purposes (objectives).

- a.) All costs must be supported by source documentation or other records as necessary to substantiate the funds. Such documents are subject to review by the Division of Fisheries and Wildlife staff to determine the eligibility of costs.
- b.) Cost incurred prior to the effective start date of the grant agreement or after the close of the grant agreement are not allowed.
- c.) Administrative costs in the form of overhead or indirect costs are not allowable cost under the Landowner Incentive Program
- d.) Project costs (or match) derived from any federal source are NOT allowable costs
- e.) Cost prohibited under state or local laws or regulations are not allowable costs
- f.) Costs must be consistent with state/federal policies, regulations, and procedures

***Reasonable Costs:**

Costs within the bounds of common sense. Costs that are not excessive or extreme; fair: *reasonable prices*.

***Necessary Costs:**

Costs that are essential to obtain the objectives defined in the grant agreement. Costs that are needed to achieve the desired result.

***Match (Cost Sharing):**

State participation is limited to 75% of eligible costs incurred in the completion of approved work or the state share specified in the grant agreement, which ever is less.

- a.) The non-state share of project costs may be in the form of cash or in-kind contributions. The eligibility and evaluation of in-kind contributions are subject to DFW review.
- b.) The non-state share of costs may not be derived from federal funds

***In-Kind Contributions:**

Goods or services provided to meet match requirements rather than money.

- a.) In-kind contributions must meet the same standard as any other allowable cost item.
- b.) In-kind contributions can only be used to meet the Landowner's match requirements.
- c.) The value of in-kind contributions represents what the State would have paid for similar services on the open market.

***Direct Costs:**

Costs that can be directly related to producing specific goods or performing a specific service. For example, the wages of an employee engaged in mowing a field, to obtain the desired result of early successional habitat, can be attributed directly to the cost of

creating the desired result. Certain other costs, such as administrative expenses, are more difficult to assign and are considered indirect costs.

***Indirect Costs:**

Often referred to as *overhead*, indirect costs are costs that are not directly related to the production of a specific good or service, but are indirectly related to a variety of goods or services. For example, the operating expenses of a business, including the costs of rent, utilities, insurance, administration, communication, and taxes are often referred to as indirect costs. Indirect costs are not reimbursable under the Massachusetts Landowner Incentive Program.

***Overhead:**

See Indirect Costs

***Contract:**

A legally enforceable agreement between the Division and a private landowner. An authorized signatory of the Contractor and Division must execute a Standard Contract Form for Procurements under 801CMR 21.00 in accordance with policies and procedures issued by the Commonwealth. The Contract shall incorporate by reference a Commonwealth Terms and Conditions and will include the RFR, the Bidder's Response (The Scope of Services), Grant Agreement/Budget and Land Use Covenant; excluding any clauses or sections that are stricken by the Department as unacceptable and including any additional negotiated language as authorized under 801 CMR 21.07(1).

***Grant Agreement:**

The grant agreement is part of the landowner's contract. The grant agreement defines the budget and services to be rendered (and reimbursed) for a one year period that have been identified and agreed upon in the management plan.

***Covenant:**

A promise within a contract for the performance or nonperformance of a particular act. For LIP, it is a legally binding agreement which the landowner promises to keep the parcel (LIP Project Area) in the current land use. The covenant is filed along with the deed at the Registry of Deeds. The landowner may change, but the covenant will run with the land for the duration of the covenant.

***Scope of Services:**

Outlines the services to be rendered by the Contractor (landowner) for the duration of the Contract, including but not limited to the services outlined in the Grant Agreement.

***Notice to Proceed:**

This letter officially notifies the landowner that the grant period has begun and they may begin work. It will outline the dates in which work must be performed, and will include a copy of the signed Contract for the landowner's records.

Acronyms:

DFW (Division of Fish and Wildlife)- The Massachusetts Division of Fisheries and Wildlife or MassWildlife.

LIP (Landowner Incentive Program)- The MassWildlife Landowner Incentive program charges itself to meet the challenges associated with wildlife habitat management of Species-at-risk and recognizes that private landowner participation is fundamental to successful conservation of fish and wildlife. LIP promotes a partnership that provides private landowners interested in developing and maintaining Wildlife Habitat on their property with *financial* and *technical* assistance

WHIP (Wildlife Habitat incentive Program)- A similar program to MassWildlife's LIP Program, the Wildlife Habitat Incentives Program (WHIP) is a voluntary program for people who want to develop and improve wildlife habitat primarily on private land. Through WHIP USDA's Natural Resources Conservation Service provides both technical assistance and up to 75 percent cost-share assistance to establish and improve fish and wildlife habitat. WHIP agreements between NRCS and the participant generally last from 5 to 10 years from the date the agreement is signed

NEPA (National Environmental Policy Act) - Congress passed NEPA in 1969 to encourage productive and positive relationship between people and their environment. One of the major tenets of NEPA is its emphasis on public disclosure of possible environmental effects of any major action on public lands. Section 102 of NEPA requires a statement of possible environmental effects to be released to the public and other agencies for review and comment.

MEPA- (Massachusetts Environmental Policy Act)- The Massachusetts Environmental Policy Act - MEPA - requires that state agencies study the environmental consequences of their actions, including permitting and financial assistance. It also requires them to take all feasible measures to avoid, minimize, and mitigate damage to the environment.

DEP (Department of Environmental Protection)- The Massachusetts Department of Environmental Protection is a state agency responsible for protecting human health and the environment by ensuring clean air and water, the safe management and disposal of solid and hazardous wastes, the timely cleanup of hazardous waste sites and spills, and the preservation of wetlands and coastal resources.

CZM (Coastal Zone Management)- The Massachusetts Office of Coastal Zone Management is a part of the Executive Office of Environmental Affairs who's mission is to balance the impacts of human activity with the protection of coastal and marine resources.

USFWS (United States Fish and Wildlife Service)- The U.S. Fish and Wildlife Service is a bureau within the Department of the Interior whose mission, working with others, is to conserve, protect, and enhance fish and wildlife and their habitats for the continuing benefit of the American people.

MESA (Massachusetts Endangered Species Act)- The state's Endangered Species Act provides for listing of endangered or threatened species or species of concern, and of their habitat. Once listed, the Act prohibits the taking, possession, transport, export, processing, sale or purchase of such species and any other species listed under the federal Endangered Species Act. The Act prohibits any alteration of significant habitat of any protected species that may reduce the viability of the habitat.

DCR (Department of Conservation and Recreation)- Serves to protect, promote and enhance our common wealth of natural, cultural and recreational resources for the well being of all.